

THE
REPORT
OF THE
LORDS COMMITTEES,
APPOINTED BY THE
HOUSE OF LORDS

TO ENQUIRE INTO

The several Proceedings in the Colony of MASSACHUSET'S
BAY, in Opposition to the Sovereignty of His Majesty,
in His Parliament of *Great Britain*, over that Province;
and also what hath passed in this House relative thereto,
from the First Day of *January*, 1764.



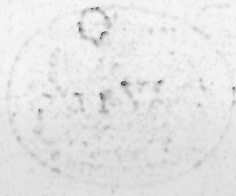
L O N D O N:

Printed by CHARLES EYRE and WILLIAM STRAHAN,
Printers to the King's most Excellent Majesty.

MDCC LXXIV.

11110

11110



20 April 1974



Die Mercurii, 20^o Aprilis, 1774.

The Earl of *Buckinghamshire* reported from the Lords Committees appointed to enquire into the several Proceedings in the Colony of *Massachusetts's Bay*, in Opposition to the Sovereignty of His Majesty, in His Parliament of *Great Britain*, over that Province, and also what hath passed in this House relative thereto, from the First Day of *January* 1764, as follows.

THAT, in Obedience to your Lordships Commands, the Committee have met, and taken into Consideration the Matters to them referred; and having attentively read, and considered, the several Papers which have been laid before the House, relative to the Proceedings in the Colony of *Massachusetts's Bay*, in Opposition to the Sovereignty of His Majesty, in His Parliament of *Great Britain*, over that Province; and having also carefully inspected the Journals of the House, from the First Day of *January* 1764, to the present Time; they find, That, on the Second Day of *April* 1764, a Bill was brought up from the Commons to your Lordships, intituled, “ An Act for granting certain
“ Duties in the *British* Colonies and Plantations in *America*,
“ for continuing, and amending, and making perpetual an
“ Act passed in the Sixth Year of the Reign of His late Majesty King George the Second, (intituled, An Act for the
“ better securing and encouraging the Trade of His Majesty's Sugar Colonies in *America*), for applying the Produce of such Duties, and of the Duties to arise by virtue
“ of the said Act, towards defraying the Expences of defending, protecting, and securing, the said Colonies and
“ Plantations,

Journals, *April* 20th 1764.

“ Plantations, for explaining an Act made in the Twenty-
 “ fifth Year of the Reign of King *Charles* the Second, in-
 “ titled, An Act for the Encouragement of the *Greenland*
 “ and *Eastland* Trades, and for the better securing the
 “ Plantation Trade); and for altering and disallowing several
 “ Drawbacks on Exports from this Kingdom, and more ef-
 “ fectually preventing the clandestine Conveyance of Goods
 “ to and from the said Colonies and Plantations, and im-
 “ proving and securing the Trade between the same and
 “ *Great Britain*.”

April 4, & 5.

That this Bill passed the House on the Fourth of *April*,
 and received the Royal Assent on the following Day.

Dec. 11, 1764.
 No. XI.

Representation of
 the Board of Trade,
 to His Majesty.

No. XI.
 Extracts from the
 printed Votes of the
 House of Represen-
 tatives of the Colony
 of *Massachusetts Bay*,
 1st, 8th, 12th, and
 13th June, 1764.

No. XI.
Otis's Book, from
 Page 57, to the End
 of the Book.

The Committee having perused the Report of the Board
 of Trade, of the Eleventh Day of *December* 1764, and the
 Papers laid before His Majesty therewith; find, in the said
 Papers, the strongest Assertions, by the Assembly of the
Massachusetts Bay, of their sole Right to pass Laws, particu-
 larly of Taxation, and of their Resolution to invite the other
 Colonies to combine with them in Measures to prevent the
 King, in His Parliament, from passing any such Laws; for
 instance, in a Letter to Mr. *Mauduit*, then Agent of the
 Province, which was drawn up by a Committee of the House
 of Representatives, and afterwards approved by the House,
 they use the following Expressions; “ The Silence of the
 “ Province should have been imputed to any Cause, even
 “ to Despair, rather than be construed into a tacit Cession of
 “ their Rights, or an Acknowledgement of a Right in the
 “ Parliament of *Great Britain*, to impose Duties and Taxes
 “ upon a People who are not represented in the House of
 “ Commons.” And, in the same Letter, they avowed and
 authenticated the Doctrines advanced in a certain Pamphlet,
 intitled, *The Rights of the British Colonies asserted and proved*,
 written by *James Otis*, Esq; which Pamphlet, amongst other
 Things, says, “ That the Imposition of Taxes, whether on
 Trade or on Land, on Houses or Ships, on real or personal,
 fixed or floating, Property, in the Colonies, is absolutely ir-
 reconcileable with the Rights of the Colonists, as *British* Sub-
 jects, and as Men.”

Journals. Feb. 28.
 1765.

The Committee find, that on the Twenty-eighth Day of
February 1765, a Bill was brought from the Commons, in-
 titled, “ An Act for granting and applying Stamp Duties,
 “ and other Duties, in the *British* Colonies and Plantations
 “ in *America*, towards further defraying the Expences of
 “ defending, protecting, and securing the same; and for
 “ amending such Parts of the several Acts of Parliament re-
 “ lating

“ lating to the Trade and Revenues of the said Colonies and
 “ Plantations, as direct the Manner of determining and re-
 “ covering the Penalties and Forfeitures therein mentioned.”

That the said Bill received the Royal Assent on the 22d of the same Month.

That, on the 17th Day of *December*, His Majesty declared, *December 17.*
 in His most gracious Speech from the Throne, that the Mat-
 ters of Importance which had lately occurred in some of His
 Colonies in *America* were the principal Cause of His Ma-
 jesty's assembling His Parliament sooner than was usual in
 Times of Peace.

It appears to the Committee, from the Votes of the No. XVII.
Votes of the House
of Representatives,
June 6, 1765.
 House of Representatives of the Colony of *Massachusetts Bay*,
 of the 6th of *June* 1765, That they came to a Resolution,
 that it was highly expedient there should be a Meeting as
 soon as might be of Committees from the Houses of Re-
 presentatives, or Burgesses, in the several Colonies on the
American Continent, to consult on their then present Circum-
 stances, and the Difficulties to which they were reduced by
 the Operation of the late Acts of Parliament, for levying
 Duties on the Colonies; and to consider of a General Ad-
 dress to His Majesty and the Parliament, to implore Relief:
 And that Letters should be forthwith prepared and trans-
 mitted to the respective Speakers of the several Assemblies,
 to invite them to accede to this Proposition; and further,
 that, on the 8th of *June*, they did actually elect Three Per- *It.*
Ibid. June 8, and 20
1765.
 sons to be their Committees, and also voted 450 *l.* to bear
 their Expences.

Your Committee find, in a Letter from the Governor to No. XXI.
Governor *Bernard's*
Letter, *August 15,*
1765, to the Lords
Commissioners for
Trade and Planta-
tions.
 the Lords Commissioners for Trade and Plantations, dated
August 15th, 1765, an Account of a violent Riot at *Boston*,
 in Resistance to a Law passed by the Legislature of *Great*
Britain, in which an Attack was made upon Mr. *Oliver*,
 Distributor of Stamps, and carried to the Length of
 pulling down and destroying his Houses, manifesting a Re-
 solution if they could have found him, of putting him to
 Death. Upon which Occasion the Backwardness and Indis-
 position, of the Council to support the Peace and good Order
 of Government were very apparent. Also, in another Letter
 from the Governor, dated *August 31st*, 1765, to the No. XXII.
Do. *August 31.*
1765, Governor
Bernard to the Lords
of Trade.
 said Board of Trade, they find that the Mob attacked the
 House of Mr. *Storey*, Register of the Admiralty, which
 they demolished; they also took all his Books and Papers,
 amongst

amongst which were the Records of the Court of Admiralty, and burnt them, and searched about for him, with an Intent to murder him; they also pillaged the House of Mr. *Hallowell*, Comptroller of the Customs, but their most violent Proceeding was against the Lieutenant Governor, whose House, Plate, Books, and Manuscripts, to a very great Value, they totally destroyed. And, in this great Extremity, the Council being, as the Governor observes, dependent upon the People, refused even to concur with him in his Proposition of giving Notice to General *Gage* of the then Situation of the Town of *Boston*.

N^o. XXXIV.
Governor *Bernard's*
Letter to ~~Lord~~ *Hal-*
ifax, *Castle William*,
Aug. 15 & 16, 1765.

It is remarkable that this Commotion entirely arose out of the Town of *Boston*; for though it was given out, that many People out of the Country were concerned in this Affair, upon Enquiry, it was found that such Persons living out of *Boston*, as were seen in the Crowd, were there merely as Spectators.

N^o. LXVIII.
Governor *Bernard's*
Letter to the Board
of Trade, Oct. 12,
1765.

In Governor *Bernard's* Letter to the Board of Trade, October the Twelfth 1765, he says "That the real Authority of the Government is at an End; some of the principal Ringleaders, in the late Riots, walk the Streets with Impunity; no Officers dare attack them, no Attorney General prosecute them, no Witness appear against them, and no Judges sit upon them."

N^o. LXXVI.
Governor *Bernard's*
Letter to Mr. *Con-*
way, *Boston*, Nov. 25,
1765.

And during this general Disorder, the Governor thought it necessary for some Companies of the Militia to be mustered with the unanimous Advice of the Council, but that the Militia refused to obey his Orders.

N^o. LXXI.
Extract of a Letter
from Governor
Bernard to *John*
Pownall, Esquire,
dated *Boston*, Oct.
26, 1765.

N^o. LXXIV.
Resolutions of the
Council, and House
of Representatives,
Oct. 25, 1765.

Journals.
January 14, 1766.

And we find, that so little Attention was paid to an Act of the *British* Legislature, by the Council and House of Representatives, that they resolved in a joint Committee, on the Twenty-fifth of October 1765, that it should and might be lawful to do Business without Stamps, notwithstanding the Act of Parliament to the Contrary.

On the Fourteenth Day of *January* 1766, upon the Meeting of the Parliament, after the Recess at *Christmas*, His Majesty was pleased to declare Himself in a most Gracious Speech from the Throne, in the following Terms:

My Lords, and Gentlemen,

"When I met you last, I acquainted you, that Matters of Importance had happened in *America*, which would demand the most serious Attention of Parliament:

The Earl of

Secretary

“ That no Information, which could serve to direct your
 “ Deliberations in so interesting a Concern might be want-
 “ ing, I have ordered all the Papers that give any Light
 “ into the Origin, the Progress, or the Tendency, of the
 “ Disturbances, which have of late prevailed in some of the
 “ Northern Colonies, to be immediately laid before you.

“ No Time has been lost, on the First Advice of these
 “ Disturbances, to issue Orders to the Governors of My
 “ Provinces, and to the Commanders of My Forces, in *Ame-*
 “ *rica*, for the Exertion of all the Powers of Government,
 “ in the Suppression of Riots and Tumults, and in the ef-
 “ fectual Support of lawful Authority.

“ Whatever remains to be done on this Occasion, I
 “ commit to your Wisdom; not doubting but your Zeal
 “ for the Honour of My Crown, your Attention to the
 “ just Rights and Authority of the *British* Legislature,
 “ and your Affection and Concern for the Welfare and
 “ Prosperity of all My People, will guide you to such
 “ sound and prudent Resolutions, as may tend at once to
 “ preserve those Constitutional Rights over the Colonies,
 “ and to restore to them that Harmony and Tranquillity
 “ which have lately been interrupted by Riots and
 “ Disorders of the most dangerous Nature.”

In the dutiful Address which was voted the same Day,
 the House assure His Majesty of their hearty Concurrence
 with His Majesty's most salutary Intentions; that they would
 exert their utmost Endeavours to assert and support
 His Majesty's Dignity and Honour, and the Legislative
 Authority of this Kingdom, over its Colonies; and that
 they would take into their Consideration the most proper
 Methods to provide for the Restoration of the Tranquillity
 of those Colonies, which had been disturbed by such vio-
 lent and dangerous Commotions.

Upon the same Day, all the Papers relating to the Infor- Journals, 1766.
 mations and Advices received from *America*, of the Riots
 and Tumults there, were laid before the House.

More Papers relating to *America* were laid before the January 22.
 House, which, together with the other Papers, were re-
 ferred to a Committee of the whole House, for *Tuesday*
 the 28th.

More Papers were laid before the House, and referred to — 27.
 the said Committee.

January 28.

February 10.

The Committee met, and, after several Adjournments, on the 10th of *February* following, the Chairman reported several Resolutions, which were agreed to by the House, as follows:

- I. *Resolved*, That the King's Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons of *Great Britain*, in Parliament assembled, had, hath, and of Right ought to have, full Power and Authority to make Laws and Statutes, of sufficient Force and Validity to bind the Colonies and People of *America*, Subjects of the Crown of *Great Britain*, in all Cases whatsoever.
- II. *Resolved*, That it appears to this Committee, that Tumults and Insurrections, of the most dangerous Nature, have been raised and carried on in several of the *North American* Colonies, in open Defiance of the Power and Dignity of His Majesty's Government, and in manifest Violation of the Laws and Legislative Authority of this Kingdom.
- III. *Resolved*, That it appears to this Committee, that the said Tumults and Insurrections have been encouraged and enflamed, by sundry Votes and Resolutions, passed in several of the Assemblies of the said Provinces, derogatory to the Honour of His Majesty's Government, and destructive of the legal and constitutional Dependency of the said Colonies on the Imperial Crown and Parliament of *Great Britain*.
- IV. *Resolved*, That it is the Opinion of this Committee, that an humble Address be presented to His Majesty, to desire that His Majesty would be graciously pleased to give Instructions to the Governors of the several Provinces, where the above-mentioned Tumults and Insurrections have happened, That they should, in His Majesty's Name, require of the Assemblies of the said Provinces, to make proper Recompence to those who have suffered in their Persons or Properties, in consequence of the aforesaid Tumults and Insurrections; and to assure His Majesty, That this House will, upon this, and all Occasions, support the lawful Authority of His Crown, and the Rights of Parliament.
- V. *Resolved*, That it is the Opinion of this Committee, That all His Majesty's Subjects residing in the said Colonies, who have manifested their Desire to comply with, or to assist in, carrying into Execution the Act for laying a Duty on Stamps, or any other Act of Parliament in the *British* Colonies in *North America*, have acted as dutiful and loyal Subjects,
and

and are therefore intitled to, and will assuredly have, the Favour and Protection of this House.

Ordered, That an humble Address be presented to His Majesty, pursuant to the Fourth Resolution.

On the 5th of *March* a Bill was brought from the Commons, intituled, “ An Act for the better securing the Dependancy of His Majesty’s Dominions in *America* upon the Crown and Parliament of *Great Britain*.” *March 5.*

Which Bill received the Royal Assent on the 18th of the same Month.

And also a Bill, intituled, “ An Act to repeal an Act, made in the last Session of Parliament, intituled, An Act for granting and applying certain Stamp Duties and other Duties in the *British* Colonies and Plantations in *America*, towards further defraying the Expences of defending, protecting, and securing the same; and for amending such Parts of the several Acts of Parliament, relating to the Trade and Revenues of the said Colonies and Plantations, as direct the Manner of determining and recovering the Penalties and Forfeitures therein mentioned.”

Which Bill received the Royal Assent on the 18th of *March*. *March 18.*

Whilst the Bill for repealing the Stamp Act was under Deliberation, Petitions from the Merchants of the City of *Bristol*, from the Merchants of *Glasgow*, from *Edward Montague* Agent for the Colony of *Virginia*, and from the Merchants of the City of *London*, in favour of the said Repeal, were received and read.

On the 2^d of *June* a Bill was brought from the Commons, intituled, “ An Act for indemnifying Persons who have incurred certain Penalties inflicted by an Act of the last Session of Parliament, for granting certain Stamp Duties in the *British* Colonies and Plantations in *America*; and for making valid all Instruments executed or inrolled there on unstamped Paper, Vellum, or Parchment.” *June 2.*

Which Bill received the Royal Assent the 6th of the same Month.

It appears by a Letter from Governor *Bernard* to the Earl of *Shelburne*, dated *December* the 24th, 1766, that the Governor, by Advice of the Council, ordered the Mutiny Act and three

N^o CXV.
Extract of a Letter
from Governor
Bernard to the Earl
of *Shelburne*, dated
Boston, Dec. 24,
1766.

three other Acts, to be printed by the Printer of the Laws. In the Interval of the Adjournment of Assembly, two Companies of Artillery being driven on Shore by Distress of Weather, and the said Act of Parliament having been consulted, the Council advised the Governor to order the Commissary to supply them with what they demanded under the Act; which was done. Upon the Meeting of the Assembly, a Message was sent to the Council, and carried by Five Members, to enquire, " By what Authority Acts of Parliament were registered amongst the Laws of that Province; " and whether they knew of any Act (meaning of Assembly) requiring the registering of Ordinances, (their Term for Acts of Parliament), which their Legislature never consented to?"

Journals. *March*
12, 1767.

The Committee find, That, on the Twelfth of *March* 1767, the Lord *Wycombe*, by His Majesty's Command, laid before the House Copies of Letters, &c. from His Majesty's Governors in *America*, which were ordered to lie on the Table.

April 3.

That, on the Third of *April*, more Copies of Letters from His Majesty's Governors in *America* were laid before the House, and ordered to lie on the Table.

May 14.

That, on the Fourteenth of *May*, it was ordered, that an humble Address should be presented to His Majesty, That he would be graciously pleased to give Directions that there might be laid before this House Copies of all Reports made to or by the Commissioners of Trade and Plantations, together with all Orders and Proceedings made, or had, by the Secretaries of State, or His Majesty's Privy Council, relating to the Bill passed by the Governor, Council, and Assembly of the *Massachusetts Bay*, for granting Compensation to the Sufferers, and of free and general Pardon, Indemnity, and Oblivion, to the Offenders, in the late Times, from the Time of the Receipt of the said Bill.

May 18.

That, on the Eighteenth Day of *May*, pursuant to the said Address, the Lord *Wycombe* laid before the House a Copy of the Report of the Committee of Council, &c.; which Papers were ordered to lie on the Table.

That, on the same Day, it was ordered, that an humble Address should be presented to His Majesty, That He would be graciously pleased to give Directions that there might be laid before this House Copies of such Precedents as had been, or might be found, of Orders in Council, declaring Acts of Assembly in *America* to be null, illegal, or void; together

together with Reports of the several Attornies and Solicitors General, or either of them, in similar Cafes, read at the Council Board the 9th Instant.

That, on the Twenty-second of *May*, the Lord *Wycombe*, *May 22.* by His Majesty's Command, laid before the House Copies of such Precedents as had been found of Orders in Council, declaring Acts of Assemblies in *America* to be null, illegal, and void; together with Reports of the several Attornies and Solicitors General, or either of them, in similar Cafes.

Which Papers were ordered to lie on the Table; and, from a Perusal of them, we find, that several Acts of different Colonies have been, from Time to Time, declared, by His Majesty in Council, to be null, illegal, and void.

That, on the Fifteenth of *June*, a Bill was brought up from the Commons, intituled, "An Act to enable His Majesty to put the Customs and other Duties, in the *British* Dominions in *America*, and the Execution of the Laws relating to Trade there, under the Management of Commissioners to be appointed for that Purpose, and to be resident in the said Dominions." *June 15.*

Which Bill received the Royal Assent on the Twenty-ninth of the same Month.

That, on the Eighteenth of *June*, a Bill was brought up from the Commons, intituled, "An Act for granting certain Duties in the *British* Colonies and Plantations in *America*; for allowing a Drawback of the Duties of Customs upon the Exportation, from this Kingdom, of Coffee and Cocoa Nuts, of the Produce of the said Colonies, or Plantations; for discontinuing the Drawbacks payable on China Earthen Ware exported to *America*; and for more effectually preventing the Clandestine running of Goods in the said Colonies and Plantations." — 18.

Which Bill received the Royal Assent, on the Twenty-ninth of *June*.

The Committee find, That, on the Meeting of the Assembly of the Province of *Massachusetts Bay*, on the 28th of *January* 1767, a Message was sent to the Governor, from the House of Representatives, desiring to be informed, whether any Provision had been made, at the Expence of that Government, for the King's Troops, lately arrived in the Harbour of *Boston*; and that, after having had the Minutes of Council (by which it expressly appeared that the Provision for the Artillery Companies at the Castle was made

No. CXVI.

No. CXVII.

Message from the House of Representatives to Governor *Bernard*, inclosed in a private Letter to *F. Shelburn*, dated *Boston*, Feb. 14, and 18, 1767. Also CXIX.

made in pursuance of the then late Act of Parliament) laid before them, they replied that “ in giving Orders, with the
 “ Advice of the Council, for making Provision for the Ar-
 “ tillery Companies at the Castle, the Governor had acted
 “ in an essential Point against the plain Intention of the
 “ Charter, by which alone, and that only, according to
 “ such Acts as are, or may be, in force within this Pro-
 “ vince, the Governor and Council were authorised to
 “ issue Money out of the Treasury;” adding, “ that it was
 “ still more grievous to them to find the Governor stating,
 “ as the Foundation of the Proceeding, a late Act of Par-
 “ liament, which to them appeared as great a Grievance as
 “ the Stamp Act, which took away the unalienable Right
 “ of Freedom from all Taxation, but such as they should
 “ voluntarily consent to, and grant.”

N^o. CXVI.
 Extract of a Letter
 from Governor Ber-
 nard, to E. Shel-
 burne, Boston, 14th
 and 18th Feb. 1767.

Governor *Bernard* was obliged, in his Rejoinder, Four-
 teenth and Eighteenth *February* 1767, carefully to avoid
 giving the Act of Parliament as the Foundation of the Provi-
 sion made; he would otherwise not have had the Concurrence
 of the Council; for tho' the greater Part, he believed, had a
 due Respect for Acts of Parliament, not one of them would
 have dared to avow it, in that Instance, and at that Time.

Journals. March 2,
 1768.

The Committee find, that, on the Second of *March*, 1768,
 a Bill was brought up from the Commons, intituled “ An Act
 “ for the more easy and effectual Recovery of the Penalties
 “ and Forfeitures inflicted by the Acts of Parliament relat-
 “ ing to the Trade, or Revenues, of the *British* Colonies and
 “ Plantations in *America*.”

Which Bill received the Royal Assent on the Eighth of
 the same Month.

N^o. CXXXI, and
 N^o. CXXXII.
 Circular Letter con-
 tained in Governor
 Bernard's, to Lord
 Shelburne, dated Bos-
 ton, Feb. 8th, 1768.

It appears to the Committee, that, by a Circular Letter
 from the House of Representatives of the Colony of *Massa-
 chuset's Bay*, addressed to all the Assemblies upon the Conti-
 nent of *North America*, “ They desired the Assent of those
 “ Assemblies to their Sentiments and Proceedings, acquaint-
 “ ing them that they had represented to His Majesty, that
 “ the Acts of Parliament of *Great Britain*, imposing Duties
 “ upon that Province, with the sole and express Purpose of
 “ raising a Revenue, are Infringements of their natural
 “ Constitutional Rights, and desired them to point out any
 “ Thing further that might be necessary to carry their
 “ System into Execution.”

N^o. CCCXVII.
 Governor Bernard's
 Letter to Lords of
 Trade, July 7, 1766,
 and Letters to Lord
 Shelburne.

N^o. CCCXXI.
 Governor Bernard's
 of May 30, 1768, &
 May 30, 1767.

In this Year, the Assembly, at the Election of the Council,
 left out all the Crown Officers, which Measure had been
 before adopted in the Years 1766, and 1767.

In

In the Beginning of *May*, 1768, Subscriptions were made, and Associations entered into, for the Non-importation of Goods from *Great Britain*; but this last Measure was, at that Time, defeated, by the Merchants in the other Colonies refusing to concur in it.

N^o. CLII.
Sir F. Bernard's
Letter of 21st, *Mar.*
to the Earl of Shel-
burne.
Also, N^o. CCVII.

On the 9th Day of *May*, 1768, regular Seizure was made by the Collector and Comptroller of the Customs of the Sloop *Liberty*, belonging to Mr. *Hancock* of the Town of *Boston*, which occasioned a most violent Tumult; the Collector and Comptroller, with the Son of the Collector, were attacked by a numerous and outrageous Mob, who beat and abused them in a most cruel Manner; and in the Night attacked their Houses, broke the Windows, seized on a Boat belonging to the Collector, which they carried away in Triumph, and afterwards burnt: The Commissioners of the Customs expecting the same Treatment, the Riot still continuing, thought it prudent to retreat for Safety till Midnight, with their Families, to the Houses of some Persons in the Neighbourhood, and afterwards, upon Conviction that their Lives were in Danger, took Refuge on Board His Majesty's Ship the *Romney*, then in the Harbour of *Boston*; and, for their further Security, from thence into *Castle William*. During the Time of this their perilous Situation, they applied several Times by Letter to the Governor and Council, for Protection, but could procure no Assistance whatsoever, and were finally told, in a Letter from Governor *Bernard*, dated the 13th of *June*, That, after several Hours Deliberation of the Necessity of taking some Measures to preserve the Peace of the Town, and what those Measures should be, the Council had come to a Resolution, That, as there appeared to be no immediate Danger of further Violences, they were of Opinion that it would be best to refer this Matter to the Consideration of a Committee of both Houses, and that therefore the Governor at present could not let them know what kind of Aid and Protection they might expect to receive. The Consequence of which was, that they received no Protection whatsoever. The Disorder and Confusion remained in this State unnoticed till the Twenty-second of *July*, when the Governor moved the Council to take into Consideration some Measures for restoring Vigour and Firmness to Government; but, on the Twenty-ninth of *July*, the Council made a Reply to what had been proposed to them by the Governor, in which they state, " That the Disorders, which happened, were occasioned by " the violent and unprecedented Manner, in which the Sloop " *Liberty* had been seized by the Officers of the Customs."

N^o. CLXXIII.
Copy of a Memorial
of the Commissioners
of the Customs, to
the Lords of the
Treasury,
June 16th, 1768.
Also, N^o. CLXII.

N^o. CCIV.
Journals of the
Council, *July* 27 &
29, 1768.

In

N^o. CCLXXXIII.
Narrative of the late
Transactions at *Bos-*
ton.

In consequence of this disorderly State at *Boston*, two Regiments having been sent thither from *Hallifax*, in order to support the Execution of the Civil Power, and preserve the Peace of the Town, strict Orders were given and repeated to the Troops not to quarrel with the Townsmen, by whom, they complained, they had been frequently ill-treated, and insulted.

N^o. CCLXXXIV.
Cap. *Preston's* Case.

On *Monday* the 5th of *March*, 1768, at Nine at Night, the Alarm Bells were rung as in Cases of Fire, the Fire said to be in *King Street*, and the People thereby led thither; where, finding the Alarm false, they joined a Multitude, who had been braving Two Companies at the Gates of their Barrack, and threatened with Death the Centinel, who was posted at the Custom House, where the King's Treasure was lodged; the Centinel, being surrounded, was forced to retreat, and call for Aid, which brought Captain *Preston*, Captain of the Day, with a Party, from the Main Guard, to extricate him: That Officer used his utmost Endeavours to prevent Mischief, notwithstanding which, the Rioters by Blows, and every Act of Aggravation, drew upon themselves the Fire of several of the Soldiers, by which some Persons unfortunately were killed; and, upon the Governor's offering to obtain the Commanding Officer's Consent to remove one of the Regiments to the Castle, and to station the other, so as no Opportunity of Disputes with the Townsmen should remain; the Council insisted, that both Regiments should go, giving for a Reason, that the People would most certainly drive out the Troops, and that the Inhabitants of other Towns would join with *Boston* in it; and several of them declared, that they did not judge from the general Temper of the People only, but they knew it to be the Determination, not of a Mob, but of the Generality of the principal Inhabitants; in consequence of which, both Regiments were accordingly removed.

N^o. CCLXXXIII.
Leut. Gov. *Hutch-*
inson to the Earl of
Hillsborough, *Boston*,
March 12, 1770.

N^o. CLXIX.
Petition of the Town
of *Boston* to Gov.
Bernard, *June* 14,
1768.
Also, N^o. CLXVII.

In the Petition presented to the Governor by several People of Consideration, in pursuance of the Resolution of a Town Meeting held at that Time, they disavow the Legislative Authority of this Country, and assert that it would be better for them to struggle against it, than tamely to relinquish their Rights.

N^o. CLXXXIX.
Answer of the
House of Represen-
tatives of *Massachu-*
setts Bay to the Go-
vernor, *June* 30,
1768.

And the Assembly absolutely refused, by a great Majority, to rescind their former Order of sending circular Letters to the other Colonies, though they had received a positive Requisition from the Crown to that Purpose.

An Association was entered into the Beginning of *August*, when most of the Merchants of *Boston* entered into, and subscribed, an Agreement, that they would not send for, or import, any Kind of Goods or Merchandise, from *Great Britain*, some few Articles of Necessity excepted, from the First of *January*, 1769, to the First of *January*, 1770; and that they would not import any Tea, Paper, Glass, or Painter's Colours, until the Act imposing Duties on those Articles should be repealed.

N^o. CCVII.
Sir Francis Bernard's
Letter, *August* 9,
1768, to the Earl of
Hillsborough.

It was also voted, in a Town Meeting of the Freeholders and other Inhabitants of *Boston*, *September* 12, that the levying Money within that Province, for the Use and Service of the Crown, in other Manner than the same is granted by the great and general Court of Assembly of the Province, was in Violation of the said Royal Charter, and the same was also in Violation of the undoubted natural Rights of Subjects, declared in the aforesaid Act of Parliament, (meaning the Act of Succession) *freely* to give and grant their own Money for the Service of the Crown, with their own Consent, in Person, or by Representatives of their own free Election.

N^o. CCXIV.
Proceedings at the
Town Meeting at
Boston, *Sept.* 12,
1768.

They also voted, that as the Governor did not think proper to call a General Court, for the Redress of their (supposed) Grievances, the Town should then make Choice of a suitable Number of Persons to act for them, as a Committee in Convention, with such as might be sent to join them from the several Towns in that Province, in order that such Measures might be consulted and advised, as His Majesty's Service, and the Peace and Safety of His Subjects in the Province, might require.

N^o. CCXIV.

They also voted, That as there was, at that Time, a prevailing Apprehension in the Minds of many of an Approaching War with *France*, in order that the Inhabitants of that Town might be prepared in case of sudden Danger, that those of the said Inhabitants who might, at that Time, be unprovided, should be, and thereby were, requested duly to observe at that Time the Law of the Province, whereby it is required that every listed Soldier, and other Householder, (except Troopers, who by Law are otherwise to be provided) shall be always provided with a well-fixed Firelock, Musket, Accoutrement, and Ammunition, as in the said Law is particularly mentioned, to the Satisfaction of the Commission Officers of the Company.

D

They

N^o. CCXIV.

They also voted, That a Letter should be written to the several Towns in the Province, as follows.

“ Gentlemen,

N^o. CCXV.
Circular Letters
from the Selectmen
of Boston, Sept. 14,
1768.

“ YOU are already too well acquainted with the melancholy, and very alarming Circumstances, to which this Province, as well as *America* in general, is now reduced; Taxes, equally detrimental to the commercial Interest of the Parent Country and her Colonies, are imposed on the People without their Consent; Taxes, designed for the Support of the Civil Government in the Colonies, in a Manner clearly unconstitutional, and contrary to that, in which, till of late, Government has been supported by the free Gift of the People in the *American Assemblies or Parliaments*, as also for the Maintenance of a large standing Army, not for the Defence of the newly acquired Territories, but for the old Colonies, and in Time of Peace. The decent, humble, and truly loyal Applications and Petitions from the Representatives of this Province, for the Redress of these heavy and very threatening Grievances, have hitherto been ineffectual; being assured, from authentic Intelligence, that they have not yet reached the Royal Ear; the only Effect of transmitting Applications, hitherto perceivable, has been a Mandate, from One of His Majesty's Secretaries of State to the Governor of this Province, to dissolve the General Assembly, merely because the late House of Representatives refused to rescind a Resolution of a former House, which implied nothing more than a Right in the *American Subjects* to unite in humble and dutiful Petitions to their gracious Sovereign, when they found themselves aggrieved: This is a Right naturally inherent in every Man, and expressly recognized at the glorious Revolution as the Birthright of an *Englishman*.

“ This Dissolution, you are sensible, has taken Place; the Governor has publicly and repeatedly declared, that he cannot call another Assembly; and the Secretary of State for the *American Department*, in One of his Letters communicated to the House, has been pleased to say, “ That proper Care will be taken for the Support of the Dignity of Government;” the Meaning of which is too plain to be misunderstood.

“ The Concern and Perplexity into which these Things have thrown the People have been greatly aggravated by a late Declaration of his Excellency Governor *Bernard*, that One or more Regiments may be expected in this Province.

“ The Design of these Troops is, in every One’s Apprehension, nothing short of enforcing, by Military Power, the Execution of Acts of Parliament, in the forming of which the Colonies have not, and can not have, any constitutional Influence. This is one of the greatest Distresses to which a free People can be reduced.

“ The Town, which we have the Honour to serve, have taken these Things, at their late Meeting, into their most serious Consideration; and, as there is in the Minds of many, a prevailing Apprehension of an approaching War with *France*, they have passed the several Votes which we transmit to you, desiring that they may be immediately laid before the Town, whose Prudentials are in your Care, at a legal Meeting, for their candid and particular Attention.

“ Deprived of the Councils of a General Assembly in this dark and difficult Season, the loyal People of this Province will, we are persuaded, immediately, perceive the Propriety and Utility of the proposed Committee of Convention, and the sound and wholesome Advice that may be expected from a Number of Gentlemen, chosen by themselves, and in whom they may repose the greatest Confidence, must tend to the real Service of our most gracious Sovereign, and the Welfare of His Subjects in this Province, and may happily prevent any sudden and unconnected Measures, which, in their present Anxiety, and even Agony of Mind, they may be in danger of falling into.

“ And it is of Importance that the Convention should meet as soon as may be; so early a Day as the Twentyssecond of this instant *September*, has been proposed for that Purpose; -- and it is hoped the remotest will, by that Time, or as soon after as conveniently may be, return their respective Committees.

“ Not doubting but you are equally concerned with us and our Fellow Citizens, for the Preservation of our invaluable Rights, and for the general Happiness of our Country, and that you are disposed, with equal Ardour, to exert yourselves, in every constitutional Way, for so glorious a Purpose.”

The Committee observe, That it does not appear to them that any Steps were taken to suppress these Measures, or that they were noticed of, by the Council, or any of the Civil Magistrates.

The

Town

The Committee think it necessary here to insert the following Extracts.

Journals.
November 8th 1768.

The First Extract is from His Majesty's most Gracious Speech from the Throne, on the Eighth Day of *November*, 1768.

“ At the Close of the last Parliament, I expressed My
“ Satisfaction at the Appearances which then induced Me
“ to believe, that such of My Subjects as had been misled
“ in some Parts of My Dominions, were returning to a just
“ Sense of their Duty ; but it is with equal Concern, that
“ I have since seen that Spirit of Faction, which I had hoped
“ was well-nigh extinguished, breaking out afresh in some
“ of My Colonies in *North America*, and in one of them
“ proceeding even to Acts of Violence, and of Resistance to
“ the Execution of the Law ; the Capital Town of which
“ Colony appears, by late Advices, to be in a State of
“ Disobedience to all Law and Government, and has pro-
“ ceeded to Measures subversive of the Constitution, and
“ attended with Circumstances, that manifest a Disposition
“ to throw off their Dependence on *Great Britain*. On My
“ Part, I have pursued every Measure that appeared to be
“ necessary for supporting the Constitution, and inducing a
“ due Obedience to the Authority of the Legislature ; you
“ may rely upon my steady Perseverance in these Purposes,
“ and I doubt not but that, with your Concurrence and Sup-
“ port, I shall be able to defeat the mischievous Designs of
“ those turbulent and seditious Persons, who, under false
“ Pretences, have but too successfully deluded Numbers of
“ My Subjects in *America*, and whose Practices, if suffered
“ to prevail, cannot fail to produce the most fatal Conse-
“ quences of My Colonies immediately, and, in the End, to
“ all the Dominions of My Crown.”

Nov. 8.

The Second Extract is from your Lordships dutiful Ad-
dress to His Majesty, on His said most Gracious Speech.

“ We feel the most sincere Concern, That any of our
“ Fellow Subjects in *North America* should be misled by
“ factious and designing Men, into Acts of Violence, and
“ of Resistance to the Execution of the Law ; attended
“ with Circumstances that manifest a Disposition to throw
“ off their Dependence upon *Great Britain*. At the same
“ Time, that We shall be always ready to contribute to
“ the Relief of any Real Grievance of Your Majesty's
“ *American* Subjects, We most unfeignedly give Your Ma-
“ jesty

“ jesty the strongest Assurances, That We shall ever zealously
 “ ly concur in Support of such just and necessary Measures,
 “ as may best enable Your Majesty to repress that daring
 “ Spirit of Disobedience, and to enforce a due Submission
 “ to the Laws; always considering, that it is one of Our most
 “ essential Duties to maintain inviolate the supreme Authority
 “ rity of the Legislature of *Great Britain* over every Part
 “ of the Dominions of Your Majesty’s Crown.”

The Third Extract is from His Majesty’s most Gracious Answer to your Lordships Address.

“ Your zealous Concurrence in every Measure, that can November 10.
 “ bring Relief to My People, is well known to Me; nor do
 “ I doubt of the Attention that you will always give to any
 “ real Grievances of My *American* Subjects. The strong
 “ Assurances I receive from you, at the same Time of your
 “ Determination to vindicate the just legislative Authority
 “ of Parliament, over all the Dominions of My Crown, deserve
 “ My warmest Approbation.”

The Committee find, That, on the Fifteenth of *November*, —15.
 the Lord *Harwich* acquainted the House, that he had received His Majesty’s Commands to lay before the House Papers relating to the late Disturbances in *America*; and that the same would be laid before the House in a few Days.

That accordingly, on the Twenty-eighth of *November*, the —28.
 Lord *Harwich* laid before the House, Copies of all Letters, &c. relating to the late Proceedings of the Colony of the *Massachusetts Bay*, together with a List thereof, which was read by the Clerk.

That on the Fifteenth of *December*, the House came to December 15.
 the following Resolutions:

- I. *Resolved*, by the Lords Spiritual and Temporal, in Parliament assembled, That the Votes, Resolutions, and Proceedings, of the House of Representatives of *Massachusetts Bay*, in the Month of *January* and *February* last, respecting several late Acts of Parliament, so far as the said Votes, Resolutions, and Proceedings, do import a Denial of, or to draw into Question, the Power and Authority of His Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, to make Laws and Statutes of sufficient

cient Force and Validity, to bind the Colonies and People of *America*, Subjects to the Crown of *Great Britain*, in all Cases whatsoever, are illegal, unconstitutional, and derogatory of the Rights of the Crown and Parliament of *Great Britain*.

II. *Resolved*, by the Lords Spiritual and Temporal, in Parliament assembled, That the Resolution of the said House of Representatives of the Province of *Massachusetts Bay*, in *January* last, to write Letters to the several Houses of Representatives of the *British* Colonies on the Continent, desiring them to join with the said House of Representatives of the Province of *Massachusetts Bay*, in Petitions, which do deny or draw into Question the Right of Parliament to impose Duties and Taxes upon His Majesty's Subjects in *America*; and, in pursuance of the said Resolution, the writing such Letters, in which certain late Acts of Parliament, imposing Duties and Taxes, are stated to be Infringements of the Rights of His Majesty's Subjects of the said Province, are Proceedings of a most unwarrantable and dangerous Nature, calculated to inflame the Minds of His Majesty's Subjects in the other Colonies, tending to create unlawful Combinations repugnant to the Laws of *Great Britain*, and subversive of the Constitution.

III. *Resolved*, by the Lords Spiritual and Temporal, in Parliament assembled, That it appears, that the Town of *Boston*, in the Province of *Massachusetts Bay*, has, for some Time past, been in a State of great Disorder and Confusion; and that the Peace of the said Town has, at several Times, been disturbed by Riots and Tumults of a dangerous Nature, in which the Officers of His Majesty's Revenue there have been obstructed by Acts of Violence, in the Execution of the Laws, and their Lives endangered.

IV. *Resolved*, by the Lords Spiritual and Temporal, in Parliament assembled, That it appears, that neither the Council of the said Province of *Massachusetts Bay*, nor the ordinary Civil Magistrates, did exert their Authority for suppressing the said Riots and Tumults.

V. *Resolved*, by the Lords Spiritual and Temporal, in Parliament assembled, That, in these Circumstances of the Province of the *Massachusetts Bay*, and of the Town of *Boston*, the Preservation of the Publick Peace, and the due Execution of the Laws, became impracticable, with-

out the Aid of a Military Force to support and protect the Civil Magistrates, and the Officers of His Majesty's Revenue.

VI. *Resolved*, by the Lords Spiritual and Temporal, in Parliament assembled, That the Declarations, Resolutions, and Proceedings, in the Town Meeting at *Boston*, on the Fourteenth of *June*, and Twelfth of *September*, were illegal and unconstitutional, and calculated to excite Sedition and Insurrections in His Majesty's Province of *Massachusetts Bay*.

VII. *Resolved*, by the Lords Spiritual and Temporal, in Parliament assembled, That the Appointment at the Town Meeting, on the Twelfth of *September*, of a Convention to be held in the Town of *Boston*, on the Twenty-second of that Month, to consist of Deputies from the several Towns and Districts in the Province of the *Massachusetts Bay*, and the issuing a Precept, by the Selectmen of the Town of *Boston*, to each of the said Towns and Districts, for the Election of such Deputies, were Proceedings subversive of His Majesty's Government, and evidently manifesting a Design, in the Inhabitants of the said Town of *Boston*, to set up a new and unconstitutional Authority, independent of the Crown of *Great Britain*.

VIII. *Resolved*, by the Lords Spiritual and Temporal, in Parliament assembled, That the Elections, by several Towns and Districts in the Province of *Massachusetts Bay*, of Deputies to sit in the same Convention, and the Meeting of such Convention in Consequence thereof, were daring Insults offered to His Majesty's Authority, and audacious Usurpations of the Powers of Government.

It was then ordered, That an humble Address be presented to His Majesty, to return His Majesty Thanks for the Communication which He has been graciously pleased to make to His Parliament, of several Papers relative to Publick Transactions in His Majesty's Province of *Massachusetts Bay*.

To express Our sincere Satisfaction in the Measures which His Majesty has pursued for supporting the Constitution, and inducing a due Obedience to the Authority of the Legislature.

To give His Majesty the strongest Assurances, That We will effectually stand by and support His Majesty in such further Measures, as may be found necessary to maintain the Civil Magistrates, in a due Execution of the Laws, within His Majesty's Province of *Massachusetts Bay*.

And as We conceive, That nothing can be more immediately necessary, either for the Maintenance of His Majesty's Authority in the said Province, or for the guarding His Majesty's Subjects therein from being further deluded by the Arts of wicked and designing Men, than to proceed, in the most speedy and effectual Manner, for bringing to condign Punishment the chief Authors and Instigators of the late Disorders, to beseech His Majesty, That he will be graciously pleased to direct His Majesty's Governor of *Massachusetts Bay*, to take the most effectual Methods for procuring the fullest Information that can be obtained touching all Treasons, or Misprision of Treason, committed within His Government since the Thirtieth of *December* last, and to transmit the same, together with the Names of the Persons who were most active in the Commission of such Offences, to One of His Majesty's Principal Secretaries of State, in order that His Majesty may issue a Special Commission for enquiring of, hearing, and determining the said Offences, within this Realm, pursuant to the Provisions of the Statute of the Thirty-fifth Year of the Reign of King *Henry* the Eighth, if His Majesty shall, upon receiving the said Information, see sufficient Ground for such a Proceeding.

And a Message was sent to the House of Commons, to carry down the said Resolutions and Address, and desire their Concurrence thereto.

January 20, 1769.

On the Twentieth of *January*, 1769, the Lord *Harwich*, (by His Majesty's Command) laid before the House more Copies of Letters relating to *America*, which were ordered to lie on the Table.

February 9,

On the Ninth of *February*, the Resolutions and Address, sent to the Commons on the Fifteenth of *December* last, for their Concurrence, were returned, agreed to, with some Amendments, which were read and agreed to, and Notice thereof sent to the Commons; and the said Address was ordered to be presented to His Majesty by both Houses.

14.7

On the Fourteenth of *February*, the Lord Chancellor reported His Majesty's Answer to the said Address, as follows:

My Lords, and Gentlemen,

“ The sincere Satisfaction you express in the Measures
 “ which I have already taken, and the strong Assurances
 “ you give of supporting Me in those which may be still ne-
 “ cessary to maintain the just Legislative Authority, and the
 “ due Execution of the Laws in My Province of *Massachusetts*
 “ *Bay*, give Me great Pleasure.

“ I shall not fail to give those Orders which you recom-
 “ mend, as the most effectual Method of bringing the
 “ Authors of the late unhappy Disorders in that Province to
 “ condign Punishment.”

Which Address and Answer were ordered to be printed.

It doth not appear to the Committee, that the Censure
 of the Proceedings in the Province of *Massachusetts Bay*, and
 of the Conduct of the Council and other Civil Magistrates,
 expressed by both Houses of Parliament in their Resolutions,
 and their Approbation of the Measure of sending Troops
 thither, to support and protect the Magistrates, and the Of-
 ficers of the Revenue, produced the good Effect that might
 reasonably have been hoped for; a Disposition to deny the Au-
 thority, and resist the Laws, of the Supreme Legislature, con-
 tinued still to prevail, not only in flagitious Publications in
 the daily News Papers, but also in a Variety of violent and
 unwarrantable Resolutions and Proceedings of those Mer-
 chants and others, who had subscribed to the Agreements
 for Non-importation of Goods from *Great Britain*.

*Vide Resolves and
 Addresses of both
 Houses of Parlia-
 ment, in Feb. 1769.*

Meetings of the Associators were represented to have been
 held in as regular a Manner as any other Meeting authorised by
 the Constitution. Committees were appointed to examine the
 Cargoes of all Vessels arriving from *Great Britain*, and re-
 gular Votes and Resolutions of Censure were passed in those
 Meetings, upon all such as refused to concur in those unlawful
 Associations; their Names were published in the publick
 News Papers, as Enemies to their Country; and the Mandates
 and Decrees of those Committees met with a Respect and
 Obedience denied to the constitutional Authority of Govern-
 ment.

No CCCXXIII.
*Vide printed Ac-
 count of the Asso-
 ciations, and the
 Proceedings in con-
 sequence thereof,
 Page 5, to 24.*

In some Cases Goods imported from *Great Britain* were
 locked up in Warehouses, under the Care of these Com-
 mittees, in order to prevent their being sold; and, in one
 or two Instances, they were reshipped to *Great Britain*.

Vide Sir Francis Bernard's Letters, 1st June and 17th June, 1769.

On the 31st of *May* 1769, the General Court met at the Court-house at *Boston*, pursuant to His Majesty's Writs, and the first Step the Assembly took, before they proceeded on any other Business, was to send a Message to the Governor, asserting, That the having Ships in the Harbour, and Troops in the Town of *Boston*, was inconsistent with their Dignity and Freedom; and therefore, that they had a Right to expect, that he would give Orders for the Removal of the Forces by Sea and Land from that Port, and from the Gates of the City, during the Session of the Assembly; and, at the same Time, the House came to several Resolutions to the same Effect, as the Declarations contained in their Message to the Governor.

The Governor having, in Reply to their Message, acquainted them, that he had no Authority over His Majesty's Ships in that Port, or His Troops in that Town, nor could give any Orders for the Removal of them, they then proceeded to the Election of Counsellors, in which Election, not only the Lieutenant Governor, and other Officers of Government, were excluded, but also several other Gentlemen, who had been of the former Council, and who (the Governor represents) shewed a Disposition to support the King's Government, to acknowledge the Authority of Parliament, and to preserve the People from a democratical Despotism, and were otherwise distinguished by their Integrity and Ability.

On the 13th of *June* the Assembly sent an answer to the Governor's Message of the 31st of *May*, in which he had told them he had no Authority over the King's Ships, or Troops.

In this Answer they assert, that “By the Principles of the
“ Constitution, the Governor of that Colony has the absolute Military Command; that the sending a Military
“ Force there, to enforce the Execution of the Laws, is inconsistent with the Nature of Government, and the Spirit of
“ a free Constitution; that the Unwillingness of a People in
“ general that a Law should be executed, was a strong
“ Presumption of its being an unjust Law; that it could not
“ be *their* Law, as the People must consent to Laws before
“ they can be obliged, in Conscience, to obey them.”

N^o CCCXXV.
Extract of Governor Bernard's Letter to the Earl of Hillsborough, 1st, 7th, and 11th of *July* 1769, inclosing the Resolutions of the House of Representatives of the 8th of *July*.

It appears, by a Vote of the Assembly, on the 8th of *July*, that they have declared, that all Trials for Treason, Mispri-
son of Treason, or for any Felony, or Crime whatever, committed or done in that Colony, ought, of Right, to be had and conducted within the Courts of the Colony; and that
the

the seizing any Person or Persons, residing in that Colony, suspected of any Crime whatsoever committed therein, and sending such Person or Persons to Places beyond the Sea to be tried, is highly derogatory of the Rights of *British* Subjects, as thereby the inestimable Privilege of being tried by a Jury from Vicinage, as well as the Liberty of summoning and producing Witnesses on such Trial, will be taken away from the Party accused.

On the 6th of *April* 1770, a Bill was brought up from the House of Commons to your Lordships, intituled, "An Act
 " to repeal so much of an Act, made in the Seventh Year
 " of His present Majesty's Reign, intituled, "An Act for
 " granting certain Duties in the *British* Colonies and Plan-
 " tations in *America*, for allowing a Drawback of the Du-
 " ties of Customs, upon the Exportation from this Kingdom,
 " of Coffee and Cocoa Nuts, of the Produce of the said Co-
 " lonies or Plantations; for discontinuing the Drawbacks
 " payable on China Earthen Ware, exported to *America*,
 " and for more effectually preventing the clandestine run-
 " ning of Goods in the said Colonies and Plantations;" as re-
 " lates to the Duties upon Glass, Red Lead, White Lead,
 " Painter's Colours, Paper, Pasteboards, Millboards, and
 " Scaleboards, of the Produce or Manufacture of *Great*
 " *Britain*, imported into any of His Majesty's Colonies in
 " *America*; and also to the discontinuing the Drawbacks
 " payable on China Earthen Ware exported to *America*,
 " and for regulating the Exportation thereof."

Journals.
April 6, 1770.

Which Bill received the Royal Assent on the 12th of *April*.

On the Thirtieth of *April* it was ordered, That an hum-
 ble Address should be presented to His Majesty, that He
 would be graciously pleased to give Directions, that there
 be laid before this House Copies of all Narratives of any
 Disputes or Disturbances which have happened between His
 Majesty's Troops, stationed in *North America*, and the In-
 habitants of any of His Majesty's Colonies there, since the
 Twenty-fourth Day of *June* last, received by the Commis-
 sioners of His Majesty's Treasury, any of His Majesty's Secre-
 taries of State, or any other publick Offices, together with
 Copies of all Orders and Instructions sent to the Governors,
 Lieutenant Governors, Deputy Governors, Presidents of the
 Council of any of His Majesty's Colonies in *North America*,
 or to the Commander in Chief of His Majesty's Forces, or any
 Officer, Civil or Military, within the same, relative to such
 Disputes or Disturbances.

April 30.

May 4.

And that, on the Fourth of *May*, the Lord *Harwich*, by His Majesty's Command, laid before the House several Papers relating to the late Disturbances in *America*, pursuant to an Address to His Majesty for that Purpose, on the Thirtieth of *April* last, together with a List thereof, which were ordered to lycon the Table.

May 7.

The Committee find, That, on the Seventh of *May*, the Lord *Harwich* laid before the House, by His Majesty's Command, a Narrative of the late Transactions at *Boston*, and the Case of Captain *Thomas Boston*, of the Twenty-ninth Regiment of Foot, which had been transmitted to his Lordship from the War-office; and the same were ordered to lycon the Table.

May 14.

On the Fourteenth of *May*, it was ordered, That an humble Address should be presented to His Majesty, that He would be graciously pleased to give Directions that there be laid before this House Copies of the Earl of *Hillsborough's* Letter of the Thirteenth of *May* 1769, to the Governors of the several Colonies of *North America*, together with the Speeches of the Governors referring to the said Letter, and the Answers of the Assemblies to the same, so far as they have been received.

— 15.

And, on the Fifteenth, the Lord *Harwich* laid before the House, by His Majesty's Command, Copies of the Earl of *Hillsborough's* Letter of the Thirteenth of *May* 1769, to the Governors of the several Colonies of *North America*, together with the Speeches of the Governors referring to the said Letter; and the Answers of the Assemblies to the same, so far as they have been received, together with a List thereof, which were ordered to lycon the Table; and the same, with the other *American* Papers presented in this Session, were also ordered to be taken into Consideration on *Friday* next, and the Lords summoned.

N^o CCCXXVI.
Lieut. Governor
Hutchinson's Letter
to ~~the~~ *Hillsborough*,
dated *March* 27,
1770.

the Earl of

The Committee find, by Lieutenant Governor *Hutchinson's* Letter, of the Twenty-seventh of *March* 1770, that when the Troops were in the Town, the Commissioners of the Customs were sensible they could have no Dependence upon them; for if any Riot had happened, no Civil Magistrate, that he knew, would have employed them in suppressing it, those who from a principle would have been disposed to it, refusing, and giving this Reason, that they must immediately after have left the Country; and that just the same Principles prevailed with respect to the Troops which were said to be unconstitutional, although established by an Act of Parliament,

Parliament, it being alledged that it was an Act which did not bind Colonists.

Lieutenant Governor *Hutchinson*, in his Letter to the Earl of *Hillsborough*, April the Twenty-seventh, 1770, complains, " That he has never been able to obtain the Advice or Consent of the Council, to any Proposal made for discountenancing the Usurpation of the Powers of Government by the Town of *Boston*: That he had used the negative Powers given him by Charter, in excluding Mr. *Hancock* from being Speaker *pro tempore*, and Mr. *Cushing* from the Office of Commissary General, to which Offices they had been elected;" but adds, " That this was doing but little, as he could not remove any of those who were actually in Office, some of whom were more inflammatory than any out of Office." He further says, " That they were then attempting to compel all the Importers of what they call contraband Goods, to send them back, and that he was not sure they would not succeed: That all Goods which they have not enumerated, are called *contraband*. That Tea from *Holland* may lawfully be sold: That it is a high Crime to sell any from *England*: That Mr. *Hancock* offered to send one or more of his Ships back, and to lose the Freight: That several of the Importers pleaded, that they should be utterly ruined; but that the *Boston* Zealots had no Bowels; and gave for Answer, that if a Ship was to bring in the Plague, nobody would doubt what was necessary to be done with her; but the present Case is much worse than that. In the same Letter, the Lieutenant Governor observes, that the *Boston* Principles obtain more and more in the remote Parts of the Province, and the Representatives of Seven-eighths of the Town appear, in the present Session, to be Favourers of the Non-importation Measures: That their internal Distresses may, in a Course of Years, force them to desist; but that the Distress at present, and it may be for some Time to come, lies principally upon the Friends to Government, who run the Risk of importing Goods, and then are compelled by the Ruling Power to keep them unfold, or to ship them back: That he made an Attempt that Day to prevail upon a Merchant of the first Estate and Character, to induce him to promote an Association, but to no Purpose; and that he gave him for Answer, That until Parliament made Provision for the Punishment of the Confederacies, all would be ineffectual, and the Associates would be exposed to popular Rage." He observed further, " That the last Year, when the King's Speech, and the Addresses of the Lords, and of the House of Commons, first came to them, the Heads of the Opposition were struck with Terror, and the seditious

N^o CCCXXVII.
Vide Lieut. Governor *Hutchinson's* Letters to the Earl of *Hillsborough*, 27th April, and 21st May, 1770.

News-paper Writers laid aside their Pens for Five or Six Weeks; but as soon as the Apprehension of vigorous Measures ceased, their Fears were over, and they became more assuming and tyrannical than before; and although the Terror was not so great the present Year, yet it was visible; but now that they expect nothing will be done, they are recovering their Spirits, knowing there is no Power within the Government to restrain them.

N^o CCCXXVII.
Letter from Lieut.
Governor *Hutchin-*
son to ~~Lord~~ *Hills-*
borough, May 21,
1770.

The Resistance to the Custom-house Officers still continued to manifest itself upon every Occasion; in consequence of which, on the Eighteenth of *May* 1770, a Tideman of the Customs, who had seized a small Coasting Vessel, belonging to *Connecticut*, and a few Casks of Sugar, for Breach of the Acts of Trade, in the Evening, was seized, stripped, and carted about the Town, for Three or Four Hours, besmeared with Tar, and then covered with Feathers, and followed by a great Number of disorderly People.

The Committee do not find, in your Lordships Journals of the Years 1771, and 1772, any material Proceedings relative to the Matters to them referred.

N^o CCCXXVIII.
Lieut. Governor
Hutchinson to the
Earl of *Hillsborough*,
July 6, 1771.

Though, in the Year 1771, Things remained tolerably quiet in the Province of *Massachusetts Bay*, yet the Disposition to disavow the Authority of Parliament occasionally broke out in the House of Assembly and Town Meetings; accordingly, in an Answer from the House of Representatives, to a Message from the Governor, on the Fifth of *July* 1771, they say, that “ They know of no Commissioners of His Majesty’s Customs, nor of any Revenue His Majesty has a Right to establish in *North America*; that they know and feel a Tribute levied and extorted from those who, if they have Property, have a Right to the absolute Disposal of it.”

N^o CCCXXIX.
Lieut. Governor
Hutchinson to the
Earl of *Hillsborough*,
Nov. 28, 1771.

At the same Time the Disposition to import Goods, in Defiance of the Laws of Revenue and Trade, and to support such iniquitous Practices by Insults and open Violences upon the Officers, whose Duty it is to carry the said Laws into Execution, broke out upon many Occasions; and, as usual, the Magistrates declined giving their Assistance and Support, though applied to for that Purpose, which appears in the Case of *Arthur Savage*, Comptroller of His Majesty’s Customs at *Falmouth*, who was forcibly taken out of his House in the Night, by several Persons disguised, and armed with Pistols, and other dangerous Weapons, who put him in the utmost Danger of his Life, and not only obliged him to di-

vulge

vulge the Name of the Person who had lodged an Information, but also to swear to the Truth of his Information; declaring, at the same Time, that if he discovered who they were, they would take his Life; and that, upon his Application to the Justices, who were then sitting, they declined the Examination of the Evidence he brought to prove the Fact.

Things remained much in the same State in the Year 1772; the continued ill Temper of the People at *Boston*, was manifested by their Instructions to their Representatives.

N^o. CCCXXX.
Governor Hutchinson to the Earl of Hillsborough, May 29, 1772, and the *Boston Gazette* of May 28th.

Upon the News of His Majesty's granting Salaries to the Justices of the Superior Court, the most inflammatory Pieces were published in the News-papers, and the Selectmen of *Boston* ordered a Meeting to consider of Measures upon that Occasion, which Meeting voted an Address to the Governor, in which they say, "That the Freeholders and other Inhabitants of the Town of *Boston*, legally assembled in *Faneuil Hall*, beg Leave to acquaint his Excellency, that a Report has prevailed, which they have Reason to apprehend is well grounded; that Stipends are affixed to the Offices of the Judges of the Superior Court of Judicature, *etc.* of this Province, whereby they are become independent of the Grants of the General Assembly for their Support; contrary to the ancient and invariable Usage.

N^o. CCCXXXI.
Governor Hutchinson to the Earl of Dartmouth, Oct. 23, 1772.

N^o. CCCXXXII.
Address, Oct. 28, 1772.

"That this Report has spread an Alarm among all considerate Persons who have heard of it, in Town and Country, being viewed as tending rapidly to compleat the System of their Slavery, which originated in the House of Commons of *Great Britain*, assuming a Power and Authority to give and grant the Monies of the Colonists without their Consent, and against their repeated Remonstrances. And as the Judges hold their Places during Pleasure, this Establishment appears big with fatal Evils, so obvious that it is needless to trespass on your Excellency's Time, in mentioning them."

The Town Meeting afterwards appointed a Committee of Correspondence, to write circular Letters to all the Towns in the Province, to induce them to unite in Measures upon that Occasion, which Committee met the Second of November, 1772, and made a Report, containing several Resolutions, contradictory to the Supremacy of the *British* Legislature: and, after setting forth, that all Men have a Right

N^o. CCCXXXIII.
Governor Hutchinson to the Earl of Dartmouth, Nov. 3, 1772, with the printed Account of the Votes and Proceedings of the Town of *Boston*, Nov. 2, 1772.

form
 No. CCCXXXIV.
 Printed Votes and
 Proceedings of the
 Freeholders and In-
 habitants of *Boston*,
 in a Town Meet-
 ing, Nov. 20, 1772.

Right to remain in a State of Nature as long as they please, they proceed to draw a Report upon the Natural Rights of the Colonists as Men, Christians and Subjects, and ~~from~~ a List of Infringements and Violations of their Rights; One of the First of which contains an Assertion, that the *British* Parliament have assumed the Powers of Legislation for the Colonies, in all Cases whatsoever, without obtaining the Consent of the Inhabitants, which is ever essentially necessary to the rightful Establishment of such a Legislature.

They also consider it as an Infringement of their Rights, that a Number of new Officers, unknown to the Charter, have been appointed to superintend the Revenues, whereas the Great and General Court, or Assembly of that Province, had the sole Right of appointing all Civil Officers, excepting only such Officers, the Election and Constitution of whom is, in the said Charter, expressly excepted, among whom these Officers are not included.

They likewise complain of it as a Grievance, that His Majesty has been pleased to apply 1500 *l.* Sterling annually, out of the *American* Revenue, for the Support of the Government of this Province, independent of the Assembly, and that the Judges of the Superior Court, as also the King's Attorney and Solicitor General, are to receive their Support from what they call ~~their~~ Grievous Tribute, which they say will, if accomplished, compleat their Slavery.

~ this
 Six Hundred Copies of this Report were circulated in the Towns of the Province, with a pathetick Letter addressed to the Inhabitants, who are called upon not to doze any longer, or sit supinely in Indifference, whilst the Iron Hand of Oppression is daily tearing the choicest Fruits from the fair Tree of Liberty.

Journals.
 May 6, 1773.

On the Sixth of *May*, a Message was brought from the House of Commons to Your Lordships, with a Bill, intituled, "An Act to allow a Drawback of the Duties of Customs, on the Exportation of Tea to any of His Majesty's Colonies or Plantations in *America*; to increase the Deposit on Bohea Tea, to be sold at the *East India Company's* Sales, and to empower the Commissioners of the Treasury, to grant Licences to the *East India Company* to export Tea, Duty-free," which Bill received the Royal Assent on the Tenth of *May*.

It appears to the Committee, in the Answer to the Governor's Speech, at the Opening of the Session, that they declare they are of Opinion, that the Parliament cannot constitutionally levy Taxes, in any Form, on His Majesty's Subjects in that Province.

N^o. CCCXXXVI.
Answer of Council
to Governor's
Speech, Jan. 25,
1773. Journal of
the House of Repre-
sentatives.

of the Council

And the House of Representatives, upon the same Occasion, declare, That if there had been, in any late Instances, a Submission to Acts of Parliament, it has been, in their Opinion, rather from Inconsideration, or a Reluctance at the Idea of contending with the Parent State, than from a Conviction or Acknowledgement of the supreme Legislative Authority of Parliament.

N^o. CCCXXXVI.
House of Represen-
tatives Answer to
Governor's Speech,
Jan. 26, 1773.

The Committee of Correspondence appear to have used their utmost Endeavours to work up the Minds of the People, not only of their own, but also of the Southern Governments, to prevent the Importation of Teas from the *East India Company*; and accordingly, on the Third of November, 1773, a Mob, of about Five hundred Persons, committed several outrageous Acts of Violence, against the Persons to whom it was expected the Tea in Question would be consigned, insisting that they should engage and promise not to receive or sell it; that, if they did, they would be voted Enemies to their Country, and must expect to be treated as such hereafter. They then forced open the Doors of the Warehouses of Mr. *Clark*, and tore them off the Hinges, and entered with great Violence, attempting to force their Way up to the Compting-house, but were driven back by the Persons who were in it.

N^o. CCXCV.
Extract of a Letter
from Governor
Hutchinson to the
Earl of *Dartmouth*,
Nov. 4, 1773, with
Four Inclosures,
N^{os}. CCXCVI,
CCXCVII,
CCXCVIII,
CCXCIX.

A Committee then of the Freeholders, and other Inhabitants, attended Messieurs *Thomas* and *Elisba Hutchinson*, supposed to be Two of the Consignees, and requested them to resign their Apointment; and, upon their refusing, voted their Answer unsatisfactory. Governor *Hutchinson* did every Thing in his Power, without the Council, for the Preservation of the Peace and good Order of the Town, and thought, that if he had had the Aid the Council might have given, his Endeavours would have been more effectual.

N^o. CCCII.
Copy of a Vote of
the Town Meeting
of *Boston*, Nov. 5,
1773.

N^o. CCCVIII.
Copy of a Paper
printed at *Boston*,
dated Dec. 1, 1773,
inclosed in Gov.
Hutchinson's Letter
of Dec. 2, 1773.

N^o. CCCIV.
Extract of a Letter
from Gov. *Hutchinson*
to the Earl of
Dartmouth, *Boston*,
Nov. 15, 1773.

On the Seventeenth of November, 1773, a large Number of People beset the House of Mr. *Hutchinson*, but not finding him at Home, proceeded to Mr. *Clarke's*, another of the Consignees, where they committed great Disorders, broke the Glasses and Frames of the Windows, and did considerable Damage. After this Riot, the Governor immediately summoned a Council, and laid before them the Necessity of some Measures being taken, but the Council declined ad-

N^o. CCCV.
N^o. CCCVI.
Copy of a Letter
from Governor
Hutchinson to the
Earl of *Dartmouth*,
dated *Boston*, Dec.
2, 1773, inclosing a
Copy of the Petition
of *Richard Clarke*
and Sons, *Ben. Fa-
neuill*, *Thomas* and
Elisba Hutchinson,
and of the Proceed-
ings of the Council
thereupon.

vising or directing any Measures for landing the Tea, suggesting that they then would, of Course, advise to a Measure for procuring the Payment of the Duty, and therefore be advising to a Measure inconsistent with the declared Sentiment of both Houses, in the last Winter Session of the General Court, which they apprehend to be altogether inexpedient and improper.

N^o. CCCVIII.
Copy of a Paper
printed at *Boston*,
dated *Dec. 1, 1773*,
in Gov. *Hutchinson's*
Letter of *Dec. 2,*
1773.

After the Arrival of a Ship loaded with Tea, a Meeting of the People of *Boston*, and the neighbouring Towns, was held on the Twenty-ninth of *November*, and continued, by Adjournment, till next Day, when a Motion was made and agreed to, *Nem. Con.* that the Tea should not only be sent back, but that no Duty should be paid thereon.

It was also voted, *Nem. Con.* that Mr. *Rotch*, Owner of the Vessel, and Captain *Hall*, the Master of the Ship, at their Peril, should not suffer any of the Tea to be landed. It was also voted, That Governor *Hutchinson's* Conduct, in requesting the Justices of the Peace to meet to suppress all Riots and unlawful Assemblies, carried a designed Reflection upon the People there met, and was solely calculated to serve the Views of Administration. They afterwards voted, that the Tea brought by Captain *Hall* should be returned by Mr. *Rotch* to *England*, in the same Bottom in which it came. It was also voted, *Nem. Con.* That Six Persons should be appointed to give due Notice to the Towns in the Country, when they should be required so to do upon any important Occasion.

They also resolved, That if any Person or Persons should, hereafter, import any Tea from *Great Britain*, or if any Master or Masters of any Vessel or Vessels in *Great Britain* should take the same on Board, to be imported to that Place, until the said unrighteous Act should be repealed, he or they should be deemed, by that Body, an Enemy to his Country; and that they would prevent the Landing and Sale of the same, and the Payment of any Duty thereon; and that they would effect the Return thereof to the Place from whence it came.

They also resolved, That these their Votes be printed and sent to *England*, and all the Sea Ports in the Province. Before they separated, they voted, that their Brethren in the Country should be desired to give their Assistance, upon the first Notice that should be given.

After the Dissolution of this Assembly of the People, what is called the Committee of Correspondence called in Committees of other Towns, or other Persons, to join with them; kept up a Military Watch and Guard every Night, to prevent the Landing any Teas; and appeared to be the Executioners of the Resolves, and Orders, passed at the aforesaid Assembly.

N^o. CCCX.
Copy of a Letter
from Governor
Hutchinson to the
Earl of *Dartmouth*,
Boston, Dec. 15, 1773.

The Consignees having retired to the Castle, the Owner of the first Ship that arrived was the principal Person applied to; and he was sent for repeatedly by these Committees, and was frequently required to send back the Ship with the Teas. He pleaded, that he could not obtain a Clearance at the Custom House, nor a Pass for the Castle; and that if he should be able to get his Ship out of the Harbour, both Ship and Cargo would be forfeited in every part of the King's Dominions. This was not thought Satisfactory, and, the next Morning, another Assembly of the People met, and chose a Moderator. At this Meeting it was determined that Mr. *Rotch*, the Owner of the Ship, should demand, at the Custom House, a Clearance of the Teas for *England*, which was done the 15th, when the Collector and Comptroller refused to grant it.

He then was obliged to demand a Permit from the Naval Office to pass the Castle; afterwards he was sent to the Governor to apply to him for the Permit, who soon satisfied him that no Permit could be granted, until the Vessel was regularly cleared: He returned to Town that Evening, and reported this Answer to the Meeting. Immediately whereupon, Numbers of the People cried out, *a Mob! a Mob!* left the House, repaired to the Wharfs, where Three of the Vessels lay a-ground, having on Board 340 Chests of Tea, and in Two Hours time it was totally destroyed; a sufficient Number of People for doing the Work were disguised, and these were surrounded by Numbers, as well of the Inhabitants of *Boston* as of other Towns.

N^o. CCCX.
Copy of a Letter
from Governor
Hutchinson to the
Earl of *Dartmouth*,
Boston, Dec. 17,
1773.

The Committee observe, that many Persons of Consideration in the Town of *Boston* took the Lead in the Proceedings of this Meeting, for whose Names they beg leave to refer your Lordships to the Papers themselves.

N^o. CCXCVIII.
Copy of a Narrative
in Governor *Hut-*
chinson's Letter of
Nov. 4, 1773.

On the Fourth of *March* 1774, the Earl of *Dartmouth* acquainted the House, that His Majesty had given Directions, That the several Papers received from *America* relating to the Disturbances there, with regard to the Importation of
Tea,

Journals.
4th *March*, 1774.

Tea, should be laid before the House, and that the same would be delivered on *Monday* next.

7th March, 1774.

The Earl of *Dartmouth* acquainted the House, That he had a Message from His Majesty, under His Royal Sign Manual, which His Majesty had commanded him to deliver to this House; and the same was read by the Lord Chancellor, and is as follows, *viz.*

GEORGE R.

“ His Majesty, upon Information of the unwarrantable
 “ Practices which have been lately concerted and carried
 “ on in *North America*, and particularly of the violent and
 “ outrageous Proceedings at the Town and Port of *Boston*,
 “ in the Province of *Massachusetts Bay*, with a View to ob-
 “ structing the Commerce of this Kingdom, and upon
 “ Grounds and Pretences immediately subversive of the
 “ Constitution thereof, hath thought fit to lay the whole
 “ Matter before His Two Houses of Parliament, fully con-
 “ fiding as well in their Zeal for the Maintenance of His
 “ Majesty’s Authority, as in their Attachment to the Com-
 “ mon Interest and Welfare of all His Dominions, that they
 “ will not only enable His Majesty effectually to take such
 “ Measures as may be most likely to put an immediate Stop
 “ to the present Disorders, but will also take into their most
 “ serious Consideration what farther Regulations and per-
 “ manent Provisions may be necessary to be established, for
 “ better securing the Execution of the Laws, and the just
 “ Dependence of the Colonies upon the Crown and Parlia-
 “ ment of *Great Britain*.”

G. R.

The Earl of *Dartmouth* also (by His Majesty’s Command) laid before the House Copies of all Letters, &c. received from *North America*, relating to the Disturbances there, with regard to the Importation of Tea, together with a List thereof.

It was Ordered, That an humble Address be presented to His Majesty, to return His Majesty the Thanks of this House, for His Majesty’s Gracious Message, and for the Communication His Majesty hath been graciously pleased to make to this House, of several Papers relative to the present State of some of His Majesty’s Colonies in *North America*.

To assure His Majesty that this House, truly sensible that the Peace and good Government of the Colonies, and the preventing any Obstructions there to the Commerce of this Kingdom,

Kingdom, are Objects of their most serious Attention, will enter upon the Consideration of these Papers with an earnest Desire to make such Provisions as, upon mature Deliberation, shall appear necessary and expedient for securing the just Dependence of the said Colonies upon the Crown and Parliament of *Great Britain*, and for enforcing a due Obedience to the Laws of this Kingdom throughout all His Majesty's Dominions: And the said Papers, and His Majesty's most Gracious Speech, were likewise ordered to be taken into Consideration on *Thursday* Sevensnight; and the Lords summoned.

On the Eleventh of *March*, the Earl of *Dartmouth* (by His Majesty's Command) laid before the House more Papers from *America*, relating to the Disturbances there, with regard to the Importation of Tea, together with a List thereof; and the same was read, and ordered to lie on the Table, and to be taken into Consideration on *Thursday* next. March 11.

On the Twenty-sixth of *March*, a Message was brought from the House of Commons with a Bill, intituled "An Act to discontinue, in such Manner, and for such Time, as are therein mentioned, the Landing and Discharging, Lading, or Shipping, of Goods, Wares, and Merchandise, at the Town, and within the Harbour of *Boston*, in the Province of *Massachusetts Bay*, in *North America*." March 26.

On the 28th of *March*, a Petition of Mr. *Sayer* and others, Natives of *America*, was presented and read, praying, That the said Bill may not pass into a Law, which was ordered to lie on the Table. Then the House took into Consideration the several Papers, and His Majesty's most Gracious Message; and the said Bill was read a second Time, and committed. March 28.

On the 30th of *March*, a Petition of *William Bolland*, Esq; Agent for the Council of the Province of *Massachusetts Bay*, was presented to the House, and read; and he was called in, and heard at the Bar; and being withdrawn, the said Bill was read a third Time, and passed *Nem. Diff.* and received the Royal Assent on the following Day. March 30.

It appears to the Committee, That, on the 25th of *January*, a great Number of Rioters in the Town of *Boston*, committed a most inhuman Act of Violence upon the Person of *John Malcolm*, a ~~preventative~~ Officer for the Port of *Falmouth* in *Cascobay*, who had lately seized a Vessel in that Port for want of a Register; no Complaint of Irregularity was made against

N^o. CCCXVI.
Letter from Gov.
Hutchinson, to the E.
of *Dartmouth*, *Bos-*
ton, Jan. 28, 1774.
preventive

against him; but it was thought proper, by the above Rioters, to punish him by tarring and feathering him, (but without stripping him) and carrying him about in Derision. This Unfortunate Man having afterwards been frequently hooted at in the Streets, was provoked, on the Twenty-fifth, by a Tradesman, who, he alledged, had several Times before affronted him, to strike him with his Cane, in consequence of which a Warrant was issued against him; but the Constable not being able to find him, a Mob ~~gathering~~ about his House in the Evening, and having broke his Windows, he pushed thro' the broken Window with his Sword, and gave a slight Scratch to one of the Assailants; soon after which the Mob entered his House, lowered him by a Rope from an upper Chamber into a Cart, tore his Cloaths off, tarred his Head and Body, feathered him, and dragged him through the main Street into *King Street*, from thence to *Liberty Tree*, and from thence, ~~by~~ the Neck, as far as the Gallows, where they whipped him, beat him with Sticks, and threatened to hang him. Having kept him under the Gallows above ~~half~~ an Hour, they carried him back in the same Manner to the Extremity of the North End of the Town, and returned him to his own House, so benumbed by the Cold, having been naked near four Hours, and so bruised, that his Life was despaired of. It appears that none but the lowest Class of the People were suspected of having been concerned in it, and that Mr. *Malcolm* having for some Time before been threatened by the Populace with Revenge for his free and open Declarations against the late Proceedings, had occasionally, indiscreetly, given them Provocation.

N^o. CCCXXXIX.
Governor *Hutchinson*, to the Earl of *Dartmouth*, *Boston*,
Feb. 14, 1774, and
Inclosures.

The House of Representatives of *Massachusetts Bay*, on the First of *February*, required the Chief Justice *Oliver*, and the Four Judges of the superior Court, to declare, whether they would receive the Grants of Assembly for their Salaries, or accept their Support from the Crown, and were answered by the Four Judges (they being fearful of making themselves Objects of popular Resentment, one of their Number having been previously brought over to ~~their~~ Consent), that they would receive their Salaries from the Province; but by the Chief Justice, that he would continue to accept his Support from the Crown: On the 11th of *February*, they remonstrated to the Governor, that the said Chief Justice *Peter Oliver*, having received his Salary and Reward out of the Revenue unjustly and unconstitutionally, levied and extorted from the *American Colonies*, and being determined to continue to receive it contrary to the known Sense of the Body of People of the Province, had thereby proved himself an Enemy to its

N^o. CCCXLII.
Copy of a Remonstrance of the House of Representatives of *Massachusetts Bay*, against the Chief Justice.

Constitution, placed himself under an undue Byas, and rendered himself disqualified to hold his Office any longer. And not having procured his Removal from the Governor in consequence of their Remonstrance, they passed a Vote to adjourn the superior Court, which, by Law, is to be held on the Fifteenth of *February*, to the 22d of that Month, to which the Governor refused his Assent, and complains that he now considers himself as acting altogether on the Defensive, avoiding his Consent where he cannot justify it, destitute of any Aid from any Part of the Legislature, or Executive Powers of Government, in maintaining Order when the Breach of it is caused, or pretended to be caused, by such Acts of Parliament, or such Exercise of his Majesty's Authority, as the People are taught by their Leaders to call Grievances.

No. CCCXLIII.
Copy of a Vote of
the Council and
House of Represen-
tatives, *Feb. 14, 1774.*

F I N I S.

(72)



